THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.22594 OF 2006

Dated:9.10.2007

Between:

G. Lakshmamma

..Petitioner

And

1. All India Radio rep by its Station Director, Hyderabad Unit at Saifabad, Hyderabad.

.. Respondent.

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THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.22594 OF 2006

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This is a writ petition filed by the petitioner seeking to set aside the order, dated 13.6.2006 passed in O.A.No.984 of 2005 by the Central Administrative Tribunal, Hyderabad.

The petitioner herein is the applicant in the above O.A.

Originally, the petitioner-applicant filed the above O.A., seeking to regularize her services in the post of Safaiwala or any equivalent post on the ground that she has been working as casual labour in the respondent-organization since 1982. The tribunal having observed that the Apex Court issued directions to the Union of India and State Governments and their instrumentalities to take steps to regularize as a one time measure the services of irregularly appointed who have worked for 10 years or more in duly sanctioned posts and if any such scheme is framed, the applicant will be entitled to be considered under such scheme without reference to her having become over aged in view of the observations of the Apex Court in SECRETARY, STATE OF KARNATAKA V. UMA DEVI ([1]),dismissed the O.A. Having aggrieved by the same, the present writ petition has been filed by the applicant.

Heard the learned Counsel appearing for the applicant and Sri A.Rajasekhara Reddy, the learned counsel for the respondent.

It is contended by the learned counsel for the applicant that the name of the applicant was duly sponsored by the employment exchange and she should have absorbed in regular vacancy or temporary vacancy as per the policy of the Government of India

enunciated in the year 1993 and apart from that, the applicant had worked as sweeper since 1982 onwards. Therefore, the applicant is entitled to be absorbed in the available vacancy as sought for.

On the other hand, it is contended by the learned counsel for the respondent that the applicant does not come under the purview of the scheme for regularization as she has not completed 240 days of service in any given year as per the records available and as such, she cannot be regularized.

In the present facts and circumstances of the case and in view of the fact that the applicant has been working since 1982 onwards and in view of the fact that the name of the applicant has been sponsored by the employment exchange, We feel it appropriate to direct the respondent to consider the case of the applicant for appointment to the suitable post to be sanctioned or any vacant post in accordance with law within a period of four (4) Weeks from the date of receipt of a copy of this order.

Subject to the above direction, this W.P is disposed of.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date: 9.10.2007
Nn/Gurc

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO22594 OF 2006

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

Dated: 9.10.2007

[1] 2006(3) SUPREME 415